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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,426	01/23/2002	Robert Krupczak	00124-027001	7921
23483 7590 05/24/2007 WILMER CUTLER PICKERING HALE AND DORR LLP 60 STATE STREET BOSTON, MA 02109			EXAMINER SERRAO, RANODHI N	
			ART UNIT 2141	PAPER NUMBER
			NOTIFICATION DATE 05/24/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/055,426	<b>Applicant(s)</b> KRUPCZAK, ROBERT	
	<b>Examiner</b> Ranodhi Serrao	<b>Art Unit</b> 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.
2. The applicant argued in substance the newly added limitations of independent claims 1, 4, 9, 12, 18, 24, and 27-29. However, the new grounds teach these and the added features. See rejections below.

### ***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 4, 9, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Bishop et al. (6,983,317).
5. As per claim 1, Bishop et al. teaches a computer-based method for collecting dependency data (col. 8, lines 15-21), the method including: collecting configuration data describing a first networked resource via a software agent executing on the first networked resource (col. 17, lines 17-39); extracting, via the software agent dependency data from the configuration data (col. 13, lines 4-11), the dependency data specifying either provider or consumer a dependency relationship between the first networked resource and one or more other networked resources (col. 27, lines 19-34); wherein said provider dependency relationship indicates that a problem at the first networked resource will propagate to the one or more other networked resources (col.

29, lines 29-39), and said consumer dependency relationship indicates that a problem at the one or more other networked resources will propagate to the first networked resource (col. 8, line 50-col. 9, line 62); and populating a repository with the dependency data, wherein the repository is stored separate from other configuration data collected by the software agent (col. 140, lines 13-28).

6. As per claim 4, Bishop et al. teaches a computer-based method for communicating dependency data, including: collecting configuration data describing a first managed device via an agent executing on the first managed device (col. 17, lines 17-39); extracting, via the agent, dependency data from the configuration data (col. 13, lines 4-11), the dependency data specifying either provider or consumer dependency relationships between the first managed device and one or more other managed resources (col. 27, lines 19-34), wherein said provider dependency relationship indicates that a problem at the first managed device will propagate to the one or more other managed resources (col. 29, lines 29-39), and said consumer dependency relationship indicates that a problem at the one or more other managed resources will propagate to the first managed device (col. 8, line 50-col. 9, line 62); generating a table that includes the extracted dependency data, wherein the table is stored separate from other configuration data associated with the first managed device that has been collected by the agent (col. 38, lines 31-37); and offering access to the table, the access being offered via a dependency interface for a distributed systems management protocol on the agent (col. 13, lines 12-22).

7. As per claim 9, Bishop et al. teaches a computer-based method for distributed systems management, including: monitoring a first managed device with a first agent executing on the first managed device (col. 17, lines 17-39), wherein the first agent gathers dependency data describing either a provider or a consumer dependency relationship between the first managed device and a second device (col. 27, lines 19-34), wherein said provider dependency relationship indicates that a problem at the first managed device will propagate to the second device (col. 29, lines 29-39), and said consumer dependency relationship indicates that a problem at the second device will propagate to the first managed device (col. 8, line 50-col. 9, line 62); and initiating, by the first managed device, a second agent to monitor the second device based on the dependency data gathered by the first agent, wherein the second agent executes on the second device (col. 12, line 64-col. 13, line 11).

8. As per claim 18, Bishop et al. teaches a computer-based method for collecting dependency data, the method including: gathering configuration data associated with a plurality of networked resources via a plurality of software agents, such that a software agent runs on each networked resource in the plurality of networked resources (col. 17, lines 17-39); extracting, via the plurality of software agents, dependency data from the gathered configuration data (col. 13, lines 4-11), the dependency data including data specifying either provider or consumer dependency relationships between the networked resources (col. 27, lines 19-34), wherein said provider dependency relationship indicates that a problem at the first networked resource will propagate to a second networked resource (col. 29, lines 29-39), and said consumer dependency

relationship indicates that a problem at the second networked resource will propagate to the first networked resource (col. 8, line 50-col. 9, line 62); and adding at least a portion of the dependency data to a central repository managed by a manager application, wherein the portion of the dependency data added to the central repository is stored in the central repository separately from other configuration data (col. 140, lines 13-28).

***Claim Rejections - 35 USC § 103***

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. Claims 2, 5-8, 10-11, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. as applied to claims 1, 4, 9, and 18 above, and further in view of Kekic et al. (6,272,537).

11. As per claim 2, Bishop et al. teaches the mentioned limitations of claim 1 above but fails to teach a method wherein the repository is stored on the first networked resource. However, Kekic et al. teaches a method wherein the repository is stored on the first networked resource (see Kekic et al., column 5, lines 8-14). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Bishop et al. to a method wherein the repository is stored on the first networked resource in order to provide a new capability for creating a managed element template, called an element manager, for a management-enabled computer network element, such as a bridge, a workstation, or perhaps, a computer software application that is executing a computer system connected to the network (see Kekic, col. 5, lines 25-39).

12. As per claims 5-8, 10-11, and 19-22, the above-mentioned motivation of claim 2 applies fully in order to combine Kekic et al. and Bishop et al.

13. As per claim 5, Kekic et al. and Bishop et al. teach the distributed systems management protocol is an open standard (see Kekic et al., column 1, lines 35-43).

14. As per claim 6, Kekic et al. and Bishop et al. teach the distributed systems management protocol is SNMP (see Kekic et al., column 2, lines 20-27).

15. As per claim 7, Kekic et al. and Bishop et al. teach offering access includes a distributed systems management software application communicating across a network with the agent using the distributed systems management protocol (see Kekic et al., column 2, lines 36-49).

16. As per claim 8, Kekic et al. and Bishop et al. teach the agent communicates with a distributed systems management software application using the distributed systems management protocol to raise a trap based on the dependency data included in the table (see Kekic et al., column 2, lines 36-49).

17. As per claim 10, Kekic et al. and Bishop et al. teach the first managed device is managed by a distributed systems management software application and the second device is also managed by the distributed systems management software application at the time the dependency data is gathered by the first agent (see Kekic et al., column 8, lines 21-34).

18. As per claim 11, Kekic et al. and Bishop et al. teach the first managed device is managed by a distributed systems management software application and the second device is not being managed by the distributed systems management software

application at the time the dependency data is gathered by the first agent (see Kekic et al., column 8, lines 21-34: wherein it is obvious to one of ordinary skill in the art to implement not managing the second device by the distributed system management software from reading the above reference).

19. As per claim 19, Kekic et al. and Bishop et al. teach the networked resource are managed by the manager application (see Kekic et al., column 5, lines 8-14).

20. As per claim 20, Kekic et al. and Bishop et al. teach wherein, based on the portion of the dependency data included in the central repository, the manager application initiates management of one or more additional resources not included in the plurality of networked resources (see Kekic et al., column 5, lines 8-14).

21. As per claim 21, Kekic et al. and Bishop et al. teach wherein, the one or more additional resources that the manager application initiates management of are specified as having dependency relationships with the plurality of networked resources (see Kekic et al., column 5, lines 8-14).

22. As per claim 22, Kekic et al. and Bishop et al. teach manager application offers a client application access to the central repository, the access using a distributed systems management protocol (see Kekic et al., column 6, lines 15-29).

23. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. and Kekic et al. as applied to claims 1 and 2 above, and further in view of Reichmeyer et al. (6,286,038). Kekic et al. and Bishop et al. teach the mentioned limitations of claim 12 above but fail to teach collecting dependency data from a plurality



of networked resources including the first networked resource; and storing the dependency data in a repository centralized within a distributed systems management environment wherein the centralized repository is stored in the distributed systems management environment separately from other configuration data associated with the plurality of networked resources. However, Reichmeyer et al. teaches collecting dependency data from a plurality of networked resources including the first networked resource; and storing the dependency data in a repository centralized within a distributed systems management environment wherein the centralized repository is stored in the distributed systems management environment separately from other configuration data associated with the plurality of networked resources (see Reichmeyer et al., col. 5, lines 11-38). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kekic et al. and Bishop et al. to collecting dependency data from a plurality of networked resources including the first networked resource; and storing the dependency data in a repository centralized within a distributed systems management environment wherein the centralized repository is stored in the distributed systems management environment separately from other configuration data associated with the plurality of networked resources in order to permit the automatic configuration of IP parameters that are interface specific and non-global on an IP host (see Reichmeyer et al., col. 4, lines 31-43).

24. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. and Tan et al. (6,356,902). Tan et al. teaches a computer-based method for

formatting dependency information for display, including: providing a display area having a linear border (see Tan et al., fig. 7: wherein the top of the display area has a linear border), selecting a root managed device residing in a distributed network to display at a root distance from the border; and displaying a non-root managed device (see Tan et al., col. 5, lines 1-6) having either a provider or a consumer dependency relationship with the root managed device (see Tan et al., col. 4, lines 32-56), and the dependency relationship has a length of at least one, the displaying including indenting the representation of the non-root managed device a predetermined distance away from the border, greater than the root distance and dependent upon the length of the dependency relationship (see Tan et al., fig. 7). But fails to teach wherein said provider dependency relationship indicates that a problem at the non-root managed device will propagate to root managed device, and said consumer dependency relationship indicates that a problem at the root managed device will propagate to the non-root managed device. However, Bishop et al. teaches wherein said provider dependency relationship indicates that a problem at the non-root managed device will propagate to root managed device (see Bishop et al., col. 29, lines 29-39), and said consumer dependency relationship indicates that a problem at the root managed device will propagate to the non-root managed device (see Bishop et al., col. 8, line 50-col. 9, line 62). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tan et al. to wherein said provider dependency relationship indicates that a problem at the non-root managed device will propagate to root managed device, and said consumer dependency relationship indicates that a problem

at the root managed device will propagate to the non-root managed device in order to monitor, store and act upon, network state information which is organized as a series of relationships among managed network elements (see Bishop et al., col. 2, lines 15-27).

25. Claims 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. and Tan et al. as applied to claim 12 above, and further in view of Perttunen (6,359,635).

26. As per claim 13, Bishop et al. and Tan et al. teach the mentioned limitations of claim 12 above but fail to teach displaying further includes displaying a plurality of non-root managed devices in a tabular layout ordered according to a breadth-first search of devices joined by direct dependency relationships, the search beginning with the root managed device. However, Perttunen teaches displaying further includes displaying a plurality of non-root managed devices in a tabular layout ordered according to a breadth-first search of devices joined by direct dependency relationships, the search beginning with the root managed device (see Perttunen, column 10, line 60-column 11, line 10 and column 14, lines 35-52). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Bishop et al. and Tan et al. to displaying further includes displaying a plurality of non-root managed devices in a tabular layout ordered according to a breadth-first search of devices joined by direct dependency relationships, the search beginning with the root managed device in order to provide a visible representation of information with a plurality of regions and to

provide an input interface to allow a user-initiated selection of a portion of the information (see Perttunen, col. 2, lines 23-29).

27. As per claims 14-17, the above-mentioned motivation of claim 13 applies fully in order to combine Tan et al., Perttunen, and Bishop et al.

28. As per claim 14, Perttunen, Tan et al., and Bishop et al. teach the breadth-first search is constrained to a predetermined depth (see Perttunen, column 10, line 60-column 11, line 10).

29. As per claim 15, Perttunen, Tan et al., and Bishop et al. teach displaying further includes displaying a plurality of non-root managed devices in a tabular layout ordered according to a depth-first search of devices joined by direct dependency relationships, the search beginning with the root managed device (see Perttunen, column 10, line 60-column 11, line 10 and column 14, lines 35-52).

30. As per claim 16, Perttunen, Tan et al., and Bishop et al. teach the depth-first search is constrained to a predetermined depth (see Perttunen, column 10, line 60-column 11, line 10).

31. As per claim 17, Perttunen, Tan et al., and Bishop et al. teach the predetermined distance for any such non-root managed device in the display area is determined by multiplying the length times a base predetermined distance (see Perttunen, column 10, lines 20-27).

32. Claims 23-31 have similar limitations as to claims 1-22 above; therefore, they are being rejected under the same rationale.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharra can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2141

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